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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/447,717	05/23/95	STEWART	R 10915R

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EXAMINER

LUU, M

ART UNIT

PAPER NUMBER

2775

DATE MAILED: 04/24/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/447,717

Applicant(s)

STEWART

Examiner

LUU

Group Art Unit

2775

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—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on January 22, 1990.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-32 is/are pending in the application.
- Of the above claim(s) 17, 21 and 26 is/are withdrawn from consideration.
- ☒ Claim(s) 1-7 and 30-32 is/are allowed.
- ☒ Claim(s) 8-16, 18-20, 22-25, and 27-29 is/are rejected.
- ☐ Claim(s) is/are objected to.
- ☐ Claim(s) are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____.

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

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DETAILED ACTION

Specification

1. The amendment filed January 22, 1998 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

The new added Figs. 7 and 8 raise the new issue of new matter since they only added to support the limitations recited in the new independent claims 8, 14, 20, and 30; however, they are not described in the specification, as originally filed, in such a way as to enable one skilled in the art to enable one skilled in the art to which it pertains to fully understand the invention.

Regarding claim 8, lines 13-18, the claimed limitations "storing, during each of said LOAD periods, a data line signal within said circuit; and ... said current and said stored data line signal." were not clearly supported in the specification, as originally filed, in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 9, "said gray scale control signal has a magnitude that is less than said stored data signal"; in claim 10, "a linear ramp waveform over the plurality of ILLUMINATION periods within one frame period"; in claim 11, "a stepped waveform over the plurality of ILLUMINATION periods within one frame period, where each step in the waveform corresponds

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to one ILLUMINATION period”; in claim 12, “a digital signal containing a plurality of bits where each bit is applied to said circuit during a plurality of consecutive LOAD periods”; and in claims 14 and 20, “dividing said frame period into a plurality of LOAD periods and a plurality of ILLUMINATE periods, where each LOAD period is followed by an ILLUMINATE period”; and “during each of said LOAD periods ... data signal is stored; and during each of said ILLUMINATE periods,... electroluminescent cell” were not supported in the specification or the drawings in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant is required to cancel the new matter in the reply to this Office action.

Claim Rejections - 35 USC § 112

2. Claims 8-16, 18-20, 25, and 27-29 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Note the objection to new matter added to specification and/or drawing figures as set forth above.

Dependent claims are considered rejected for incorporate the defects from their respective parent claims by dependency.

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Dependent claims are considered rejected for incorporating the defects from their respective parent claims by dependency.

3. Claims 22-24 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claims 22-24 are depending on a canceled claim 21.

Allowable Subject Matter

4. Claims 1-7 and 30-32 are allowed.

None of the prior art of record teaches or suggests the claimed invention as illustrated in figures 2-3 of the present invention.

Response to Arguments

5. Applicant's arguments with respect to claims 8-29 have been considered but are moot in view of the new ground(s) of rejection.

The new added Figs. 7 and 8 raise the new issue of new matter since they only added to support the limitations recited in the new independent claims 8, 14, 20, and 30; however, they are not described in the specification, as originally filed, in such a way as to enable one skilled in the art to enable one skilled in the art to which it pertains to fully understand the invention

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6. Any inquiry concerning this communication should be directed to Matthew Luu at telephone number (703) 305-4850.



MATTHEW LUU
PATENT EXAMINER

M. Luu: M.L.

April 20, 1998

IMPORTANT NOTICE

Effective November 16, 1997, the Examiner handling this application will be assigned to a new Art Unit as a result of the consolidation into Technology Center 2700. See the forth coming Official Gazette notice dated November 11, 1997. For any written or facsimile communication submitted **ON OR AFTER** November 16, 1997, this Examiner, who was assigned to Art Unit 2415, will be assigned to Art Unit 2775. Please include the new Art Unit in the caption or heading of any communication submitted after the November 16, 1997 date. Your cooperation in this matter will assist in the timely processing of the submission and is appreciated by the Office.